

Zhu

OCT 12 2004
U.S. PATENT & TRADEMARK OFFICE
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

BLUNDELL et al.

Atty. Ref.: 620-139

Serial No. 09/820,745

Group: 1652

Filed: March 30, 2001

Examiner: NASHED, Nashaatt

For: CRYSTAL STRUCTURE

* * * * *

October 12, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST

The Examiner is requested to return a completely initialed copy of the PTO-1449 Form filed June 15, 2001. Specifically, the initialed copy of the PTO-1449 Form received with the Office Action of September 22, 2004, includes a lined-through reference Sahi (Journal Plant Physiology, 133, 277-280 (1988)), with the hand-written comment "reference not available". The undersigned however has reviewed the electronic file wrapper of the Patent Office and includes herewith a copy of the printout from the index of the same with an indication by a hand-written arrow of where the cited document may be retrieved by the Examiner. Also attached is a copy of the document retrieved from the electronic file wrapper by the undersigned. It appears that the Patent Office personnel scanned the reference in the reverse order such as the first page of the reference appears to be Brandt (Journal Plant Physiology, Vol. 133, pp 281-287

(1988)). Return of a completely initialed copy of the previously-filed PTO-1449 Form confirming the Examiner's consideration of the cited art is requested.

The Examiner's comments on page 3 of the Office Action dated September 22, 2004, with regard to the quality of the previously-filed drawings is noted however as a specific objection or rejection of the drawings has not been received by the applicants, the applicants are uncertain as to what further may be required with regard to the drawings. The Examiner is requested to provide, or have the draftsperson provide, any specific objection or rejection of the drawings, or specifically indicate that the drawings are acceptable.

The present Request is not being filed in response to the Office Action of September 22, 2004, but rather to request items which were not completely received with the Office Action of September 22, 2004.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



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